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FARAD CONTINUATION SHEET

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

CIVIL APPLICATION NO. 929 OF 2005.
IN
WRIT PETITION NO. 2932 OF 1999.

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Mr. S.V. Sadavarte for the applicant.

None for the respondent.

CORAM: ANOOP V. MOHTA, J.

DATED: 3RD AUGUST, 2005.

P.C.:

. Heard. It appears from the record that the applicant-respondents are required to file applications for direction to deposit the rent which accrues every month. There is no dispute that the tenant is in occupation of the premises in question. The present applicant is enjoying the possession of the premises in question. The order of stay, in fact, is based on the foundation of regular payment. Lastly, by order dated 11th October, 2004, for then existing arrears, a Civil Application was moved and on the same, it was directed that the amount be deposited. Again, the present Civil Application is for arrears of rent and interest

which has accrued after 11th October, 2004. Paragraph 10 of the Civil Application reflects the said calculations including the balance due upto January 2005, i.e. Rs.5,98,839.85.

. None appeared for the tenant even though they are served.

. Considering the averments made and in the background of the earlier orders passed in the matter, the present Civil Application is allowed in terms of prayer clauses (b), (c) and (d).

. Civil Application is disposed of accordingly.

[ANOOP V. MOHTA, J.]